

JAMES H. RATHBURN.

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JANUARY 22, 1897.—Committed to the Committee of the Whole House and ordered to be printed.

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Mr. POOLE, from the Committee on Invalid Pensions, submitted the following

REPORT.

[To accompany H. R. 7954.]

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 7954) granting a pension to James H. Rathburn, respectfully report:

Charles B. Rathburn, the son of this beneficiary, served as a private in Company F, Eleventh New Jersey Volunteer Cavalry, from September 6, 1862, to June 12, 1865, and was honorably discharged.

He died January 31, 1889, from heart failure.

The records show that he was treated in August, 1864, for intermittent fever, and the testimony of comrades shows that nearly every member of the company was sick at that time with diarrhea and fever, but they do not seem to remember soldier's sickness distinctly. The testimony of two credible witnesses shows that when he returned from the service after discharge in 1865 he was suffering from chronic diarrhea, rheumatism, and disease of the heart, and that he continued to suffer from the last two until he died from disease of the heart in 1889. An effort has been made to show that the disease of the heart was hereditary, but he never had any heart trouble before enlistment, so far as can be learned. His mother lived to a good old age, his father is now 73 years old, and all his brothers and sisters are living. Hereditary tendency to a disease is no bar to a pension therefor if the disease developed in the service.

The evidence shows that soldier entered the service sound, that he returned therefrom with diarrhea, rheumatism, and disease of heart, and suffered continuously from the last two until he died from disease of heart.

The evidence also shows that he left no widow or minor children, and that the mother is dead and the father dependent.

The passage of the bill is recommended after being amended by striking out the words "twenty-five," in line 7, and inserting in lieu thereof the word "twelve."

Amend title so as to read "A bill to pension James H. Rathburn."